

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Darrell L. Goss, Sr.,

Plaintiff,

v.

James W. Larry, Troy O. Rock, Carmen
Carpenter, Tanesha Edwards, Williemarky Scott,
Marcus Russell, Johnny Rich, Nathan G.
Saverence, Katherine L. Kennedy, South
Carolina Department of Corrections,

Defendants.

C/A No. 2:20-cv-2978-JFA-MGB

ORDER

Plaintiff Darrell L. Goss, Sr. a self-represented prisoner, brings this action pursuant to 42 U.S.C. § 1983 alleging constitutional claims of excessive force and deliberate indifference, and a state law claim for negligence. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for pretrial proceedings, including consideration of Defendant's motion for summary judgment.

After reviewing the motion for summary judgment and all responsive briefing, the Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation ("Report"). (ECF No. 85). Within the Report, the Magistrate Judge opines that Defendants' motion for summary judgment (ECF No. 79) should be granted.

The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

Plaintiff was advised of his right to object to the Report, which was entered on the docket on October 12, 2021. *Id.* The Magistrate Judge required Plaintiff to file objections by October 26, 2021. *Id.* Plaintiff failed to file objections. Thus, this matter is ripe for review.

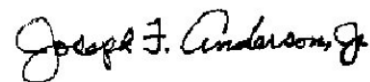
A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that Defendants' motion for summary judgment should be granted.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 85). Consequently, Defendants' motion for summary judgment (ECF No. 79) is granted.

IT IS SO ORDERED.

November 16, 2021
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge